

REMARKS

This is responsive to the Office Action mailed on June 16, 2004. In that Office Action, the Examiner rejected claims 2-5, 9-10, 18, 20-21, 27 and 29. The Examiner objected to claims 6-8, 11-17, 24-26 and 28. With this Amendment, claims 2, 3, 4, 10 and 29 are amended. Claims 5, 6, 9, 18, 20 and 27 are hereby cancelled. The application now contains claims 2-4, 7, 8, 10-17, 24-26, 28 and 29. Reconsideration and allowance of all of the claims are respectfully requested.

In the Office Action, the Examiner in his response to the arguments that applicant submitted on March 25, 2004, states that the independent claims do not recite that there be a certain percentage of nitrogen containing cycles of heterocycles, but rather, that there be a certain percentage of active ingredient. The Examiner alleged that the prior art meets the percentages of active ingredient. The Examiner noted that applicant's arguments seem to be based on language found in dependent claim 7 which language is not recited in the independent claims. Claim 7 was also one of the claims objected to by the Examiner as being a dependent claim based upon a rejected base claim but would be allowable if re-written in independent form including all of the limitations of the base claim and any intervening claims.

The language of claim 7 (except for 1% limitation) has been included in independent claim 2. Independent claim 2 now specifically states that "nitrogen-containing cycles or nitrogen-containing heterocycles to be larger than or equal to 0.1% of the mass of the filter". In view of this amendment, it is believed that independent claim 2 and its respective dependent claims, claims 3, 24 and 25 are in condition for allowance and reconsideration and allowance of these claims are respectfully requested.

Regarding independent claim 4, independent claim 4 specifically states that "the mass of said nitrogen-containing cycles or heterocycles being at least equal to or larger than 0.1% of the total mass of the filter". The language in independent claim 4 clearly recites that there be at least 0.1% of nitrogen-containing cycles or heterocycles. Reconsideration and allowance of independent claim 4 along with its respective dependent claims 7, 8, 10-17, 26 and 28 are respectfully requested.

Similarly, independent claim 29 states "the mass of said nitrogen-containing cycles or heterocycles being at least equal to or larger than 0.1% of the total mass of the filter". It is believed that this is the language of dependent claim 7 that was suggested by the Examiner. In view of this, it is respectfully requested that independent claim 29 also be allowed.

If applicant's attorney has misunderstood the Examiner's remarks in the Office Action and the Examiner does not find the claims patentable, it is requested that the Examiner call applicant's attorney's direct dial number 612-330-0581.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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